

JAN-26-2007 11:51 From: ALPHA CENTURION SEC. 610 449 2010

To:2159232227

P.2

Jan-26-2007 08:32am From:Mattioni

+2159232227

T-884 P 002/003 F-983

ORIGINAL

07-50

UNSWORN DECLARATION OF SUBSTITUTE CUSTODIAN

My name is Joanna Small I am over the age of 21, and am competent to give this
 unsworn declaration under penalty of perjury. All facts stated herein are true and correct and are
 within my personal knowledge.

1. I am President of Alpha Centurion Security, Inc. and am authorized to execute this

Affidavit;

2. We are familiar with the defendant vessel at least to the extent of her size,
 weight, construction material and apparent condition and believe that Alpha Centurion Security,
 Inc. has adequate facilities and supervision to safely keep said vessel in place of the Marshal
 during the pendency of suit herein and until further order of the Court and, in this regard,
 declarant states that Alpha Centurion Security, Inc. will provide fire watch, gangway
 guardianship, periodically inspect mooring lines and perform other miscellaneous services
 necessary to the proper custody and safekeeping of the vessel;

3. The total charge for said services will be \$ \$25.50 per hour straight time and
 \$38.50 per hour overtime, with one hour travel time being charged per shift.

4. Alpha Centurion Security, Inc. has liability insurance in the amount of
 \$1,000,000.00 with a \$3,000,000.00 aggregate to cover damages for loss of or injury to the
 defendant vessel during said custody or for damages sustained by third parties due to gross
 negligence of Alpha Centurion Security, Inc. or employees or agents committed during said
 custody;

CLERK U.S. DISTRICT COURT
 FILED
 DISTRICT OF DELAWARE
 2007 JAN 26 PM 1:31

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5. Further, Alpha Centurion Security, Inc. agrees to accept subsequent custodianship of the defendant vessel, her engines, machinery, boilers, tackle, apparel, etc. in accordance with the Order Appointing Substitute Cusiodian; and

6 I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 26, 2007

Alpha Centurion Security, Inc.

By: Joanna Small
Joanna Small

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ACORD CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
03/15/2006

PRODUCER (610) 565-8280 FAX (610) 565-9685
Montgomery Insurance Services Inc
330 West State Street
Media, PA 19063
Kimberly Kennedy, CISR

**THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION
ONLY AND CONFERs NO RIGHTS UPON THE CERTIFICATE
HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR
ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.**

**INSURED Alpha-Centurion Security, Inc.
200-204 West Chester Pike
Havertown, PA 19083**

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: Everest Indemnity	
INSURER B: Everest National Insurance Co	
INSURER C:	
INSURER D:	
INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

THIS PRODUCT IS PROVIDED AS IS. NO WARRANTY, EXPRESS OR IMPLIED, IS MADE WITH RESPECT TO THIS PRODUCT. THE ENTIRE RISK AS TO THE QUALITY AND PERFORMANCE OF THE PRODUCT IS WITH YOU. NEITHER THE MANUFACTURER NOR ITS DISTRIBUTOR WILL BE LIABLE FOR ANY DAMAGES INCURRED BY YOU IN THE USE OF THIS PRODUCT.

CERTIFICATE HOLDER

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREON, THIS LEASE WILL TERMINATE IMMEDIATELY.

10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT.
BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY
OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

Kirby v. Kennedy - GTSB